

November 27, 2017

State of California  
Division of Engineering Services  
Office Engineer  
1727 30<sup>th</sup> Street  
Sacramento, CA. 95816

Attn: Jill Sewell, Office Chief

RE: BID PROTEST  
CALTRANS CONTRACT NO. 04-1G8404  
Reconstruct Curb Ramps & Sidewalk – Hwy 116 in Sebastopol, CA  
Bid Opening Date: Nov. 15, 2017

Dear Ms. Sewell:

In accordance with Caltrans bid protest procedures, please accept this letter as Northern Pacific Corporation's (NPC) formal protest of the bid submitted by Dreambuilder Construction Corp. (Dreambuilder) for the above-mentioned project.

Under Section 2-1.10 Subcontractor List of the Standard Specifications, it states that on the Subcontractor List Form, list each subcontractor to perform work in an amount of  $\frac{1}{2}$  of 1 percent of the total bid or \$10,000, whichever is greater (Pub Const Code 4100 et seq.). The threshold for the subcontractor listing limit on this particular contract would be  $\frac{1}{2}$  of 1% or in the case of Dreambuilder, any subcontract amount in excess of \$9,830 ( $\$1,966,061 \times 0.50\% = \$9,830.30$ ). There are two items of work for which NPC received subcontractor bids in excess of this threshold amount:

1. Item 53 Adjust Frame & Grate to Grade (Zappetini & Son, Welding Subcontractor)
2. Item 60 Pre & Post Construction Surveys (F3 Land Surveying, Surveying Services)

NPC listed these subcontractors to perform 100% of each of these bid items. Item 53 was bid at \$30,400 and Item 60 was bid at \$20,700, clearly in excess of the \$9,830 limit. We also received other bids in excess of this amount by two other potential subcontractors for these same scopes of work (see attached quotes – Attachment A). Since each of these two scopes of work are clearly above the threshold for the subcontractor listing limit, we are questioning why Dreambuilder did not list anyone to perform this work.

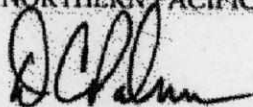
By not listing anyone to perform this work, it is implied that they will be performing this work with their own forces, which may be the case with Item 53. However, with reference to Item 60, Pre & Post Construction Survey, Section 73-3.01C of the project specifications clearly states that this work is to be performed & signed by one of the following:

1. A land surveyor licensed in the State of California
2. A Civil Engineer licensed in the State of California prior to January 1, 1982.

We have reviewed the current list of licensed Civil Engineers and Licensed Land Surveyors on the CA.gov website and cannot find where any individual affiliated with Dreambuilder or any of its principals are licensed as either a Land Surveyor or a Civil Engineer with the State of California to fulfill the requirements of Section 73-3.01C. Based on this information we would request that their bid be rejected on the basis that they have not met the subcontractor listing requirement and cannot self-perform the Pre & Post Construction Survey because they are not licensed to perform such work in the State of California.

Sincerely,

NORTHERN PACIFIC CORPORATION



Daniel C. Palmer  
Vice President - Estimating

GENERAL ENGINEERING CONTRACTOR

P.O. Box 1795 \* Sonoma, CA 95476 \* 707.939.0595 \* 707.940.4298

**FAX COVER SHEET**

TO	Caltrans Office Engineer
COMPANY	
FAXNUMBER	19162276282
FROM	Northern Pacific Corporation
DATE	2017-11-28 18:09:56 GMT
RE	Bid protest letter Caltrans Contract No. 04-1G8404

**COVER MESSAGE**

Please see bid protest letter regarding Caltrans Contract No. 04-1G8404